



## MARYLAND JUDICIARY

### Coronavirus Related Paid Leave Frequently Asked Questions & Answers

#### What is Coronavirus Related Paid Leave?

Effective on January 1, 2021, employees may use up to 80 hours of administrative leave for Coronavirus-related qualifying reasons as described below, similar to what was allowed under the Families First Coronavirus Response Act (FFCRA), which has now expired. **If the employee has used 80 hours of Emergency Paid Sick Leave (EPSL) or were paid for the first two weeks of FMLA childcare as provided under the FFCRA between April 1, 2020 and December 31, 2020, they do not qualify for another 80 hours of leave.** If the employee has used part of the 80 hours of EPSL, they are entitled to their remaining hours.

**Coronavirus Related Paid Leave (CRPL)** may only be taken if an employee qualifies for one of the five qualifying conditions (listed below):

1. The employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19;
3. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis;
4. The employee is caring for an individual who is subject to an order as described in subparagraph (1) or has been advised to self-quarantine (2);
5. The employee is caring for his/her son or daughter if the child's school and/or childcare facility has been closed due to COVID-19 precautions.

#### Frequently Asked Questions & Answers

- Q:** Is Coronavirus Related Paid Leave (CRPL) an extension of FMLA childcare and Emergency Paid Sick Leave (EPSL)?
- A:** **No. FMLA childcare and EPSL were provided under the Families First Coronavirus Response Act (FFCRA) and both expired on December 31, 2020. CRPL is a separate form of leave provided by the Maryland Judiciary and available to some Judiciary employees until March 14, 2021. CRPL is only for employees that have not already used their allotted leave under EPSL and FMLA childcare.**

Q: What is the pay rate for Coronavirus Related Paid Leave?

A: **Employees will be paid for CRPL at their regular rate of pay.**

Q: What happens if I used most or all of my leave available for FMLA childcare last year?

A: **If you or a family member have/has an FMLA covered injury or condition, you may apply for FMLA. However, the use of leave for childcare for a closed/virtual school due to the Coronavirus is no longer covered under the Family Medical Leave Act under the FFCRA. If you were paid for the first two weeks of FMLA childcare, you are not eligible for CRPL. If you are taking care of your children unrelated to an FMLA-covered illness, you will need to use your own leave, or you may apply to your Administrative Head for leave-without-pay.**

Q: If I used 80 hours of EPSL in 2020, can I now use another 80 hours of Coronavirus-related Paid Leave?

A: **No. Each regular employee is entitled to 80 hours total of either EPSL OR CRPL, not both. If an employee did not use all 80 hours of EPSL then they may be entitled to the remaining hours.**

Q: If I was paid for the first two weeks of FMLA childcare, am I entitled to 80 hours of CRPL?

A: **No. You are not entitled to another 80 hours. The first two weeks of paid leave for FMLA-childcare were considered EPSL, so the employee has used their allotted hours.**

Q: Will I be entitled to additional leave if I used all hours allotted under EPSL?

A: **No, not under CRPL. However, if the federal or state government offers another similar program, you may be eligible based on those requirements.**

Q: What happens if I contract the Coronavirus or am told to quarantine and have used all of my EPSL or CRPL? Should I go to work if I am out of leave?

A: **Employees should not come to work if they contract Coronavirus. Employees must quarantine as specified by Judiciary policy regardless of their leave balance availability. Employees who have exhausted EPSL in 2020 or CRPL in 2021 must use their own leave or leave without pay.**

Q: If I travel out of state (not contiguous to Maryland) or the country and am required to quarantine is my leave covered under CRPL?

A: **Yes, an employee's leave is covered under CRPL, but only up to 80 hours, as long as Governor Hogan's quarantine Order is in effect for out of state travel, if they have not used their allotted hours under EPSL. Once the Governor's Order to quarantine after state travel is lifted, the employees may no longer be eligible for CRPL.**